

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**RALPH SMITH, individually and on behalf of
all others similarly situated,**

Plaintiff,

v.

STROM ENGINEERING CORPORATION,

Defendant.

Case No. 2:19-cv-00147-MRH-PLD

**OMNIBUS INDEX OF EXHIBITS OF COMMON EVIDENCE IN SUPPORT OF
PLAINTIFF’S MOTION FOR CLASS CERTIFICATION (ECF NO. 69); PLAINTIFF’S
REPLY IN SUPPORT OF PLAINTIFF’S MOTION FOR CLASS CERTIFICATION;
AND PLAINTIFF’S OPPOSITION TO DEFENDANT’S MOTION TO STRIKE THE
REPORT AND TESTIMONY OF [DR.] ERIN HATTON, PH.D.¹**

Exhibit	Docket No.	Description
1	69-02	Dkt. 61 Stip. Regarding Project Assignment Agreements (“PAA”)
2	69-03	Picket Line Agreement
3	69-04	Service Agreement between ATI and Strom
4	69-05	Declaration of Sarah R. Schalman-Bergen (“Schalman-Bergen Decl.”)
5	69-06	Rule 30(b)(6) Deposition of Ryan Bash (“30(b)(6) Dep.”)
6	69-07	Deposition of Jason Hans (“Hans Dep.”)
7	69-08	Deposition of Gary Greenburg (“Greenburg Dep.”)
8	69-09	Deposition of Gregory Kountz (“Kountz Dep.”)
9	69-10	Deposition of Ralph Smith (“Smith Dep.”)
10	69-11	Expert Report of Professor Erin Hatton (“Expert Report”)
11	69-12	Declaration of John Brady [Midland] (“Brady Decl.”)
12	69-13	Declaration of Anthony Burney [Brackenridge] (“Burney Decl.”)
13	69-14	Declaration of Mario Bush [Brackenridge] (“Bush Decl.”)
14	69-15	Declaration of Patricia Caesar [Bagdad] (“Caesar Decl.”)
15	69-16	Declaration of Ricardo Clark [Latrobe] (“Clark Decl.”)

¹ Plaintiff filed an initial Index of Exhibits in connection with his Motion for Class Certification, at ECF No. 69-1. Plaintiff submits this Omnibus Index in connection with his Reply in Support of Motion for Class Certification and Opposition to Defendant’s Motion to Strike the Report and Testimony of [Dr.] Erin Hatton, PH.D.

16	69-17	Declaration of Phillip Coleman [Brackenridge] (“Coleman Decl.”)
17	69-18	Declaration of Monika Cronin [Natrona Heights] (“Cronin Decl.”)
18	69-19	Declaration of Geary Gleason [Brackenridge] (“Gleason Decl.”)
19	69-20	Declaration of Kiyuana Jackson [Brackenridge] (“Jackson Decl.”)
20	69-21	Declaration of Leonard Jinkerson [Brackenridge] (“Jinkerson Decl.”)
21	69-22	Declaration of Joseph Joyner [Washington] (“Joyner Decl.”)
22	69-23	Declaration of Samuel Kelly [Brackenridge and Latrobe] (“Kelly Decl.”)
23	69-24	Declaration of Charles Loya [Brackenridge] (“Loya Decl.”)
24	69-25	Declaration of Con Meads [Bagdad] (“Meads Decl.”)
25	69-26	Declaration of Kristopher Norris [Brackenridge] (“Norris Decl.”)
26	69-27	Declaration of Ralph Smith [Brackenridge] (“Smith Decl.”)
27	69-28	Declaration of James Sweger [Brackenridge] (“Sweger Decl.”)
28	69-29	Declaration of Justin Winters [Vandergrift] (“Winters Decl.”)
29	69-30	Strom-Smith_0033062, 11/16/15 Email
30	69-31	Excerpt from Strom Website 1
31	69-32	Strom-Smith_0003986, Strom/Phillips Presentation to ATI
32	69-33	Excerpt from Strom Website 2
33	69-34	ATI_SMI_0070182, Strom Engineering Response Re: ATI RFP (Filed Under Seal)
34	69-35	Strom-Smith_0004259, 6/15/15 Email Planning Security at ATI Plant
35	69-36	Strom-Smith_0002062, 9/9/15 Email Re: Employees Followed to Hotel
36	69-37	ATI_SMI_0012331, 6/24/15 Re: Staying ready, staying strong, staying aligned (Filed Under Seal),
37	69-38	ATI_SMI_0003701, ATI Customer Protection Plan Summit Day 1 Powerpoint (Filed Under Seal)
38	69-39	ATI_SMI_0018559, 10/18/15 Email Re: Employment Candidates
39	69-40	Strom-Smith_0001889, Strom Advertisements for RWs on ATI Project
40	69-41	Strom-Smith_0004989, 8/31/15 Email Re: “Not a lot of people out there available for work ... willing to travel and cross a picket line.”
41	69-42	Strom-Smith_0002833, 11/5/15 Email Re: VND- Families support ATI strikers in Vandy
42	69-43	Strom-Smith_0000036, Strom Employee Handbook
43	69-44	ATI_SMI_0007845, Picket Line Crossing Training Signup
44	69-45	Strom-Smith_0006204, Lund Email Re: Picket Line Etiquette
45	69-46	ATI_SMI_0051329, Kountz Email Re: Picket Line Etiquette
46	69-47	ATI_SMI_0086141, 11/5/15 Email Re: Communication with staff
47	69-48	Strom-Smith_0009713, 12/28/15 Email Re: Verbal discipline of RW who failed to show up at pick up location
48	69-49	Strom-Smith_0010234, 11/5/15 Email Re: Employee behavioral issues on the vans

49	69-50	Strom-Smith_0010438, 2/24/16 Email Re: Taunting the Picketers is Unacceptable
50	69-51	Strom-Smith_0030023, 9/29/15 Email Re: Project Coordinator responsibilities to coordinate vans
51	69-52	Strom-Smith_0013494, 12/2/15 Email Re: Van Driver Responsibilities
52	69-53	ATI_SMI_0021094, 9/30/15 "Policy as I understand it is no personal vehicles" Email
53	69-54	Strom-Smith_0009693, Commute Exception Waiver
54	69-55	Strom-Smith_0008897, 9/29/15 MVR Reports
55	69-56	ATI_SMI_0076646, 11/14/15 Email Re: Policy for Safety Shoes
56	69-57	ATI_SMI_0024828, 8/29/15 Email Re: Strat times for Strom and ATI Personnel Working in Operations
57	69-58	ATI_SMI_0024459, 9/17/15 Email Re: Strom Employees Staying at the Job Site
58	69-59	Strom-Smith_0009497, 5/11/16 Corrigan Email
59	69-60	ATI_SMI_0003132, Strom Debrief Meeting (Redacted)
60	69-61	Strom-Smith_0031365, Vandergrift Van Struck By Object
61	69-62	Strom-Smith_0031899, Pellet Gun Shot at Strom Van
62	69-63	ATI_SMI_0012922, 7 AM 24 Hour Security Conference Call Example 1
63	69-64	ATI_SMI_0012966, Van Windshield Cracked
64	69-65	ATI_SMI_0019668, Object Thrown at Van
65	69-66	ATI_SMI_0012998, 7 AM 24 Hour Security Conference Call Example 2
66	69-67	ATI_SMI_0013040, 7 AM 24 Hour Security Conference Call Example 3
67	69-68	ATI_SMI_0013728, Plant Security Update
68	69-69	Strom-Smith_0031921, Employee Report of Accident Example 1
69	69-70	Strom-Smith_0031373, Employee Report of Accident Example 2
70	69-71	ATI_SMI_0023623, ATI Monitoring News Re: Lockout
71		Excerpts from the Deposition of Gary Johnson ("Johnson Dep.")
72		Excerpts from the Deposition of Jody Ayers ("Ayers Dep.")
73		Excerpts from the Deposition of Christopher Paul Waters ("Waters Dep.")
74		Excerpts from the Deposition of Victoria Wellington ("Wellington Dep.")
75		Excerpt from Strom Website – Required Documents Page
76		Strom Field Staff Daily Activity Logs attached to E-mail to Jason Hans
77		Letter from Phillips Group regarding subpoena
78		Samples of Picket Line Activity Records
79		Dkt. 1 Notice of Removal
80		Signed Declaration of John Brady [Midland] ("Brady Decl."); replaces the unsigned Declaration of the Brady Decl. at Exhibit 11, ECF No. 69-12
81		Signed Declaration of Ricardo Clark [Latrobe] ("Clark Decl."); replaces the unsigned Declaration of the Clark Decl. at Exhibit 15, ECF No. 69-16

82		Signed Declaration of Joseph Joyner [Washington] (“Joyner Decl.”); replaces the unsigned Declaration of the Joyner Decl. at Exhibit 21, ECF No. 69-22
83		Deposition of Erin Hatton (“Hatton Dep.”)
84		Erin Hatton, <i>Temporary Weapons: Employers’ Use of Temps against Organized Labor</i> , 67(1) CORNELL I.L.R. 86 (2014) (“ <i>Temporary Weapons</i> ”)
85		HOWARD LUNE AND BRUCE L. BERG, QUALITATIVE RESEARCH METHODS FOR THE SOCIAL SCIENCES (9 th Ed. 2017) (“Lune & Berg”)
86		Howard Becker, <i>Constructive Typology in the Social Sciences</i> , 5 AMERICAN SOCIOLOGICAL REVIEW 1 (1940)
87		David Collier, Jody LaPorte, and Jason Seawright, <i>Putting Typologies to Work: Concept Formation, Measurement, and Analytic Rigor</i> , POLITICAL RESEARCH QUARTERLY (2012)
88		Excerpts from Defendant’s Answers to Plaintiff’s First Set of Interrogatories
89		January 6, 2022 Letter from the Editors of the CORNELL UNIVERSITY INDUSTRIAL AND LABOR RELATIONS (“ILR”) REVIEW